IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.61 OF 2007

IN

CHAMBER SUMMONS NO.1799 OF 2003

IN

SUMMARY SUIT NO.4089 OF 1993

Jagdeep J.Talekar .. Petitioner.
Versus
Krishnanath P.Naringrekar & Ors. .. Respondents.

Mr.O.A.Das for petitioner.
Mr.K.Kaushik for respondent No.4.
Mr.B.K.Raje for respondent Nos.1 to 3.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 28th September, 2007.

P.C.:

1. After perusing the petition and the annexures thereto so also the affidavit of the Life Insurance Corporation of India (for short "LIC"), to my mind, the contempt petition is not the remedy of the petitioner if he is aggrieved by the action of the respondent Nos.1 to 3 so also that of the L.I.C. in repudiating the claim.

2. All that the Court order directs was to comply with the formalities of the L.I.C. so as to enable it to process the claim and consider the request to release the sums that have been due and my attention is invited to

paragraph 8 of the letter dated 23rd March, 2007, addressed by the petitioner's Advocate.

3. Without entering into that controversy once the L.I.C. has duly considered the claim, the contempt petition does not survive. In any event, it was not the remedy if the L.I.C. had wrongfully repudiated the claim. All remedies available to the parties are still available to be invoked and all such proceedings would be decided uninfluenced by the dismissal of the present contempt petition.

4. Equally open are the remedies against the respondent Nos.1 to 3 if in the opinion of the petitioner they have not complied with their obligations.

5. Contempt petition is disposed of.

(S.C.Dharmadhikari, J.)